

**PARTA**  
**PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY**

**BOARD OF TRUSTEES MEETING MINUTES**

**PARTA ADMINISTRATION BUILDING**  
**2000 SUMMIT ROAD**  
**KENT, OHIO 44240**

**December 14, 2017**

**Board Members Present:**

Dominic Bellino, Vice President  
Rick Bissler, President  
Marge Bjerregaard  
Richard Brockett

Jeff Childers  
David Gynn  
Pete Kenworthy  
Tim Lissan

R. T. Mansfield, TPO  
Frank Vitale  
Karen Wise

**Staff Present:**

Claudia Amrhein  
Marcia Fletcher  
Frank Hairston

Carlell Howard  
Kelly Jurisch  
William Nome, Legal Counsel

Clayton Popik  
Rebecca Schrader  
Brian Trautman

**Members Not Present:**

Jerry Beach (excused)  
Brian Gray (excused)

Virginia Harris (excused)

Jeremy Moldvay (excused)

**Guests Present:**

Jacob Seckman

Michelle Seckman

Rick Seckman

**CALL TO ORDER**

President Rick Bissler welcomed everyone to the December 14, 2017, PARTA Board of Trustees meeting and called the meeting to order at 7:03 p.m. An oral roll call followed, and a quorum was present.

Mr. Bissler noted that the meeting minutes from the November 16, 2017, Board meeting were distributed; and he entertained a motion to accept the minutes. Ms. Marge Bjerregaard made a motion to approve the minutes as presented. Mr. David Gynn seconded the motion. **Motion to approve the minutes, as presented, passed unanimously.**

**GUEST COMMUNICATIONS**

Mr. Bissler asked if any of the guests would like to comment. They declined.

**GENERAL MANAGER'S REPORT**

Mr. Bissler then called on Ms. Claudia Amrhein for the General Manager's report.

Ms. Amrhein thanked everyone for coming out to the last meeting of the year on a blustery evening and expressed appreciation for everyone's dedication throughout the year. She noted that one change was made to the agenda. In the Board packet, a draft resolution was prepared for the fuel bid, which was delayed on Friday. The information needed by Tuesday morning was received and two (2) separate resolutions have been prepared – one (1) for diesel and one (1) for gasoline. She indicated that she has a presentation tonight, which is the third part of the Board overview series of PARTA's transit service. She reminded the Board of her presentation in September that covered the basic three (3) types of transit service – fixed route, ADA complementary paratransit, and demand response. Demand response is also called door-to-door or Dial-A-Ride. Any of those three (3) names can be used interchangeably. In October, the demand response service was discussed along with the need to restructure that service going forward. A system needs to be created that would be resilient to decreasing revenues and the increasing costs to provide that service. The November Board meeting was busy discussing budgets. Tonight, the discussion will be more specifically about fixed routes and the requirements that go along with providing fixed route and ADA complementary paratransit service.

Ms. Amrhein began her PowerPoint presentation by saying PARTA is a public transit provider of a fixed route service. There are specific requirements for providers of fixed route services. PARTA is the only provider of fixed route service in the county as a regional transit authority. All policies are guided by Federal Transit Administration regulations. Some policies have many volumes and pages of regulations. For the purposes of a broad sweep, the regulations cover nondiscrimination in the provision of service, public participation, and providing full access to programs and services.

PARTA has 15 fixed routes and two (2) express routes. A fixed route operates along a prescribed route according to a fixed schedule. The schedules are printed, can be found on PARTA's app, are numbered, are assigned names, and have regular service hours, which are published.

One of the main nondiscrimination provisions that applies to fixed route service providers is the Americans with Disabilities Act, which covers virtually every part of PARTA's service. In general, it prohibits discrimination on the basis of disability. It requires that all programs and services are accessible. PARTA cannot deny anyone the opportunity to use its transportation services if an individual can use that service. PARTA can't prevent the use of fixed route service. ADA requires that any fixed route provider provide complementary paratransit service. It also requires, and this is a relatively new requirement in 2015, that reasonable modifications of policies and practices be made.

Another nondiscrimination provision applicable to providers of fixed route service is Title VI. Title VI prohibits discrimination on the basis of race, color, and national origin in the provision of all transportation programs and services. It's designed to ensure that the level and quality of public transportation is provided in a nondiscriminatory manner and to promote full and fair participation in public transportation decision-making without regard to race, color, or national origin.

Accessibility, in terms of ADA, applies to every part of PARTA's service. Fleet vehicles and equipment all must be accessible and working. Vehicles and equipment must be maintained and operable while in service. All buses have lifts and securement areas, which drivers must be trained to use. That must be offered to someone who is using a wheelchair or not using a wheelchair upon request. Individuals can't be denied the ability to use their mobility device because it's inconvenient. It must be safely secured. Accommodations must also be made for mobility aides and life support systems, such as oxygen and other types of mobility devices. Communication and public information about all routes must be fully accessible. Employees are trained to make sure they have a good understanding of these requirements. Reasonable modification of policies and procedures ensure that all services are accessible. The FTA realized that sometimes a policy or practice makes sense on its face and is practical, but it might

inadvertently prevent someone from being able to use the service. PARTA must evaluate each request on a case-by-case basis, which could include a variety of different factors, such as where the bus stops, the weather, or someone's health. When reasonable, decisions on special arrangements are made on the fly.

ADA complementary paratransit service is a major requirement of fixed route providers. It is often confused with the demand response or door-to-door. It is a different service. It is required as a safety net for persons who, even with all those accessible features, are not able to use the fixed routes. It mandates that if an eligible person is not able to use the fixed route, ADA complementary paratransit service must be provided and must be comparable to the fixed route service, which is within ¼ mile of the fixed route. An eligible trip that is origin to destination within that corridor is considered complementary paratransit. Again, that's different than door-to-door service, which is not restricted within ¼ mile and operates under different rules entirely.

Reasonable modification goes back to when an individual requests a modification to ensure that they can fully access the service. A determination is made as to whether the request is reasonable. Reasons that something might be considered not reasonable are that it's a fundamental alteration of service, it poses a direct threat to the health or safety of others, the individual doesn't need that modification to use the service, or it prevents an undue financial or administrative burden. Some of these the driver is not going to be able to determine on the fly. In that case, the driver would call dispatch and request that a road supervisor make that determination. All requests and responses are tracked as required by the FTA.

An example of how these fixed route service regulations apply is with the recent issue that has evolved with the fixed route bus stop that was added to Maplewood Career Center, which is located on the 70 Windham/Garrettsville route. This started in 2015-16 when a thorough review of the fixed routes was done. A good deal of time was spent studying routes with a consultant to determine whether service was being deployed in the best way and reaching the right populations. As a result of the review, and keeping within limited resources, a number of recommendations were brought to the Board. In a nutshell, those recommendations were proposed and designed to simplify service so it's easier to understand, to improve communication, and to make sure that lower income, transit-dependent communities are being connected to essential services like health care and grocery stores. As required, public comments were collected through a variety of means in public hearings, on line, or by phone and public notice was provided of the final decisions. A few modifications were made based on the public comments and the route changes were effective January 2017. One of those changes was adding a stop to the Maplewood Career Center (MCC) campus. The Windham/Garrettsville route runs up and down Route 88, which didn't change. What did change is that there were requests to have a regular stop on campus that would be extended to help the adult education program that operates later into the evening. The Windham/Garrettsville route services the hospital, the Social Security Administration, Fortis College, Freedom Town Hall, the Renaissance Family Center (which was an important thing to add because the folks in Windham did not have access to fresh food), Maplegrove Community Garrettsville/Sky Plaza, the Garrettsville/Garfield Plaza, and Hiram/Hiram College. The Raven route was also redesigned by dividing it into two (2) routes so that more of Ravenna is connected to service both Ravenna and Kent so that the connection can be made with other routes for transportation to Marc's on the far east side of Ravenna and the new Aldi's. The stop was added in January and conversations occurred starting in late September; but, for purposes of this conversation, written request was received to remove that stop from MCC and the letter indicated that PARTA was not welcome on that property. The bus was suspended from driving onto the property as part of the Windham/Garrettsville route on November 7 pending a public process, which is necessary prior to beginning a new service or making a major change to a service. The

stop also served as a reference point for demand response. The fixed route was entering the campus and demand response, which is scheduled service, was also using that stop as the pick up and drop off point. Demand response service was suspended on Friday, November 10, and the public hearing was scheduled for December 5 for the fixed route change.

The issue is that MCC is trying to limit PARTA's service to door-to-door only (demand response service). PARTA's position is that as a public transportation provider of fixed route services, it cannot agree to limit service to only demand response.

The problem is that the Windham/Garrettsville route still runs along Route 88. Removing the MCC stop does not remove MCC from the fixed route service area. As a fixed route service provider, PARTA is subject to FTA nondiscrimination regulations. Removing that stop has both Title VI and ADA compliance implications because servicing MCC from Route 88 presents safety concerns and interferes with PARTA's ability to provide ADA-compliant service.

Ms. Amrhein shared one scenario where an individual could be riding the Windham/Garrettsville fixed route to get to MCC. The bus will stop on Route 88. The driveway is more than 900 feet long, and sometimes it snows. The question this raises is: Can a disabled individual safely board and alight on Route 88? It's a two (2) lane highway that is narrow, there aren't sidewalks, and the speed limit is 45 or 55 mph. Stopping a bus on Route 88 to have the driver get out, deploy the lift, load the passenger onto or off of the lift, and then let them cross the street is a problem. Can a disabled individual get to the building? This might be dependent on weather, medical conditions, or environmental factors. Conditional ADA eligibility may apply for someone with COPD, which might aggravate certain conditions and not others. Someone who's sight impaired, darkness might be an issue; whereas, broad daylight isn't. It's specific to the individual and there's not one blanket answer for any situation. Therefore, banning PARTA from providing fixed route service presents a problem for servicing MCC. What would happen in those instances? The person would ask the driver to drop them off in the parking lot. The driver would determine that request is reasonable, except for the restriction that MCC has placed on PARTA that only door-to-door service is allowed. It prohibits fixed route service on their campus. Windham/Garrettsville is a fixed route. In that instance, PARTA would have to deny them access to MCC, which violates PARTA's requirements and ADA.

Another scenario could be a disabled individual, who is not able to use the Windham/Garrettsville fixed route to get to MCC for some reason. PARTA then must evaluate whether it is an eligibility ADA complementary paratransit trip. Does the trip begin and end within the ¾ mile corridor? If it does, and they're eligible, PARTA is required to provide that service. That is not door-to-door service. It operates under different rules. The restriction by MCC to only allow door-to-door service prohibits PARTA from providing required complementary paratransit service on campus.

It boils down to the fact that PARTA provides public transportation. People have the right to access MCC via the Windham/Garrettsville route. PARTA can't agree to restrict access to destinations along a fixed route. Disabled individuals have the right to request reasonable modifications and may require ADA complementary paratransit service. As a provider of fixed route service, PARTA can't restrict public transportation to provide demand response exclusively along a fixed route. Decisions must be made because of issues with demand response service, which include declining revenues, increasing costs, and increasing demand. Countywide demand response service fits Portage County because it's largely rural, but many transits provide strictly complementary paratransit ¾ mile. PARTA tries to be there for everybody, which is why the service is being reviewed to determine how it can be changed to make sure that the people who really need the service can get it, which is part of PARTA's mission. PARTA cannot agree to limit service to demand response, particularly when the fixed route has been developed specifically to be able to build a network of transportation that is based more on the fixed regular service than it is on the demand response.

How can transportation service be restored? By MCC allowing PARTA to provide public transportation, removing the restriction limiting service to door-to-door only, rescinding the designation of PARTA as a third party not authorized to use the property, and allowing a shelter to be installed near the driveway to provide a safe, covered place for individuals who use that service.

Ms. Amrhein concluded by asking if there were any questions.

Mr. Vitale asked for clarification on the bus stop on Route 88; specifically, if the area where the shelter would be placed was public property and if there was a right-of-way.

Mr. Nome said there is a right-of-way along all state highways, which includes Route 88. The State of Ohio owns the right-of-way to State Route 88. The Board might want to consider going into executive session since there has been discussion between PARTA and legal counsel for MCC regarding pending or imminent court action.

Mr. Bissler thanked Ms. Amrhein and then moved on to committee reports.

#### **FACILITIES COMMITTEE REPORT**

This committee did not meet.

#### **FINANCE COMMITTEE REPORT**

Mr. Dominic Bellino said there is not much new from the Finance Committee. The committee went through the November numbers and end of the year budget. It was a little bit higher than last month, but still a healthy surplus that will help with capital projects coming up. The minutes are detailed, and the reports have been distributed. The committee recommends three (3) of the four (4) resolutions. One (1) resolution isn't financial; two (2) have to do with fuel; and one (1) is for the Portage County Board of Developmental Disabilities contract, which has been finalized. There will not be a Finance Committee meeting in January. The next meeting will be on February 20.

Mr. Bissler thanked Mr. Bellino and asked if there were any questions. Hearing none, he said no other committees met.

#### **NOMINATIONS COMMITTEE REPORT**

This committee did not meet.

#### **OPERATIONS/PLANNING COMMITTEE REPORT**

This committee did not meet.

#### **PERSONNEL COMMITTEE REPORT**

This committee did not meet.

#### **PUBLIC RECORDS COMMISSION REPORT**

This committee did not meet.

**OLD BUSINESS**

None.

**NEW BUSINESS**

Mr. Bissler asked Ms. Rebecca Schrader to present the service awards.

Ms. Schrader said once a year, employees and Board members are recognized for their service: one (1) year, three (3) years, five (5) years, 10 years, and up. Employees who received service awards are listed on the door. Board members receiving service awards are: Pete Kenworthy - one (1) year; Frank Vitale - one (1) year; Jerry Beach - five (5) years; Virginia Harris - 15 years; and R.T. Mansfield - 15 years.

Mr. Bissler thanked all Board members for their time and energy in volunteering to serve on the Board and then moved on to the resolutions.

**Resolutions**

Mr. Bissler said the first resolution under New Business is #2017-12-01.

**#2017-12-01: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) BOARD OF TRUSTEES AUTHORIZING THE AWARD OF A CONTRACT TO MANSFIELD OIL CO. TO PROVIDE DIESEL FUEL FOR 2018 AND AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO SIGN A FEDERAL EXCISE TAX EXEMPTION CERTIFICATE ON BEHALF OF PARTA. THIS IS A JOINT PURCHASING VENTURE WITH AKRON METRO RTA, WESTERN RESERVE RTA, AND STARK AREA RTA, ET AL.**

Mr. Bissler entertained a motion to approve the resolution. Mr. R. T. Mansfield made a motion, which was seconded by Mr. Dominic Bellino.

Mr. Bissler asked if there were any questions or discussion. Hearing none, a roll call vote was taken as follows:

Frank Vitale - Yes	Karen Wise - Yes	Jeff Childers - Yes
David Gynn – Yes	Timothy Lissan – Yes	R. T. Mansfield - Yes
Marge Bjerregaard - Yes	Richard Brockett – Yes	Rick Bissler – Yes
Pete Kenworthy - Yes	Dominic Bellino – Yes	

Mr. Bissler said the next resolution is #2017-12-02.

**#2017-12-02: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) BOARD OF TRUSTEES TO RATIFY THE PORTAGE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES (PCBDD) CONTRACT.**

Mr. Bissler entertained a motion to approve the resolution. Mr. David Gynn made a motion, which was seconded by Mr. Timothy Lissan.

Mr. Bissler asked if there were any questions or comments. Hearing none, a roll call vote was taken as follows:

Karen Wise – Yes	Timothy Lissan - Yes	Jeff Childers - Yes
David Gynn - Yes	Marge Bjerregaard - Yes	R. T. Mansfield - Yes
Frank Vitale - Yes	Richard Brockett – Yes	Rick Bissler - Yes
Dominic Bellino - Yes	Pete Kenworthy – Yes	

Mr. Bissler said the next resolution is #2017-12-03.

**#2017-12-03: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) BOARD OF TRUSTEES TO AMEND THE TEMPLATE IN THE PERSONNEL POLICY, WHICH INCLUDES THE FIREARM POLICY FOR MOTOR VEHICLES AND THE FIREARM POLICY FOR BUILDING/PREMISES.**

Mr. Bissler entertained a motion to approve the resolution. Ms. Marge Bjerregaard made a motion, which was seconded by Mr. David Gynn.

Mr. Bissler asked if there were any questions. Hearing none, a roll call vote was taken as follows:

Dominic Bellino – Yes	Timothy Lissan - Yes	Frank Vitale - Yes
R. T. Mansfield – Yes	David Gynn - Yes	Marge Bjerregaard - Yes
Karen Wise – Yes	Richard Brockett - Yes	Rick Bissler - Yes
Pete Kenworthy - Yes	Jeff Childers - Yes	

Mr. Bissler said the next resolution is #2017-12-04.

**#2017-12-04: A RESOLUTION BY THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) BOARD OF TRUSTEES AUTHORIZING THE AWARD OF A CONTRACT TO MANSFIELD OIL CO. TO PROVIDE GASOLINE FOR 2018 AND AUTHORIZING THE GENERAL MANAGER, OR HER DESIGNEE, TO SIGN A FEDERAL EXCISE TAX EXEMPTION CERTIFICATE ON BEHALF OF PARTA. THIS IS A JOINT PURCHASING VENTURE WITH AKRON METRO RTA, WESTERN RESERVE RTA, AND STARK AREA RTA, ET AL.**

Mr. Bissler entertained a motion to approve the resolution. Mr. Pete Kenworthy made a motion, which was seconded by Mr. Frank Vitale.

Mr. Bissler asked if there were any questions. Hearing none, a roll call vote was taken as follows:

Jeff Childers – Yes	Pete Kenworthy – Yes	Marge Bjerregaard - Yes
Frank Vitale – Yes	Richard Brockett – Yes	R. T. Mansfield - Yes
Karen Wise – Yes	Dominic Bellino – Yes	Rick Bissler - Yes
Timothy Lissan – Yes	David Gynn - Yes	

Ms. Amrhein asked Mr. Clayton Popik to give an overview of the upcoming route changes, as mentioned in her report.

Mr. Popik said with the opening of Aldi's, it seemed appropriate to extend at least one of the Ravenna routes during the next sign up period, which starts in January. The benefit of that is the bus would be able to pick up at the Bryn Mawr nursing home, which was a concern that was voiced a couple years ago during public hearings. Two (2) stops were picked up on the Raven East (#85) route and a couple more trips will be added up to Hiram. Garrettsville has done some economic development with a movie theatre and grocery store. They've also talked about a coffee

house. There were an odd number of trips on that Windham/Garrettsville route going in and out of Hiram. Hiram pointed out that they could leave in the evening, but had no way of getting back. One (1) trip was added in the evening and one (1) more trip was added in the middle of the day.

**EXECUTIVE SESSION**

Mr. Jeff Childers made a motion to go into Executive Session for the purpose of discussing pending or imminent court action, which was seconded by Mr. Frank Vitale.

Mr. Bissler asked if there was any discussion. Hearing none, a roll call vote was taken as follows:

Dominic Bellino - Yes	Jeff Childers - Yes	R. T. Mansfield - Yes
Rick Bissler - Yes	David Gynn - Yes	Frank Vitale - Yes
Marge Bjerregaard - Yes	Pete Kenworthy - Yes	Karen Wise - Yes
Richard Brockett - Yes	Tim Lassar - Yes	

The Board went into Executive Session at 7:38 p.m.

Ms. Marge Bjerregaard made a motion to return to public session at 8:15 p.m., which was seconded by Mr. Timothy Lassar.

A roll call vote was taken as follows:

Karen Wise - Yes	Pete Kenworthy - Yes	Marge Bjerregaard - Yes
Frank Vitale - Yes	David Gynn - Yes	Rick Bissler - Yes
R.T. Mansfield - Yes	Jeff Childers - Yes	Dominic Bellino - Yes
Tim Lassar - Yes	Richard Brockett - Yes	

Mr. Childers made a motion that the Board of Trustees issue a statement of support for the General Manager's actions on the Maplewood Career Center situation as set forth in the presentation she gave earlier this evening. Ms. Marge Bjerregaard seconded the motion. Motion passed unanimously.

**ADJOURNMENT**

Moving on, Mr. Bissler asked for a motion to adjourn.

Ms. Marge Bjerregaard made a motion to adjourn the meeting. Mr. Timothy Lassar seconded the motion. **Motion to adjourn passed unanimously.**

The meeting adjourned at 8:17 p.m.

Respectfully submitted,



Marcia Fletcher  
Executive Assistant